

Please type a plus sign (+) inside this box

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. DEP5118

First Inventor John R. Hawkins

Title Dual Durometer Elastomer Artificial Disc

Express Mail Label No. EU486915066US

13408 U.S. PTO  
10/608987  
06/26/03

**APPLICATION ELEMENTS**

See MPEP Chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17) *(submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.
3.  Specification [Total Pages 14] *(Preferred arrangement set forth below)*
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings *(if filed)*
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s)(35 USC 113) [Total Sheets 3]
5. Oath or Declaration [Total Pages 3]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional with Box 18 completed)*

i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

18.  If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-Part (CIP) of prior application No. , filed

Prior application information: Examiner Group Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label 000027777 or  Correspondence Address below

Name: Philip S. Johnson, Esq.  
Address: Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003 USA

20. TELEPHONE CONTACT

Please direct all telephone calls or telefaxes to Thomas M. DiMauro at:

Telephone: (508) 880-8401 Fax: (508) 828-3789

21. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	Thomas M. DiMauro	Reg. No. 35,490
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SIGNATURE	Thomas M. DiMauro
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DATE	6.26.03
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<b>FEE TRANSMITTAL</b>		<i>Complete if Known</i>	
		Application Number	
		Filing Date	
		First Named Inventor	John R. Hawkins
		Group Art Unit	
		Examiner Name	
Attorney Docket Number	DEP5118		

### **FEE CALCULATION**

#### CLAIMS AS FILED

(1)	(2)	(3)	(4)	(5)
FOR:	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$710.00
TOTAL CLAIMS	29 - 20 =	9	x 18.00	\$162.00
INDEPENDENT CLAIMS	3 - 3 =	0	x 80.00	\$.00
MULTIPLE DEPENDENT CLAIMS	<input type="checkbox"/>	N/A	\$270.00	
			TOTAL FEES	\$872.00

### **METHOD OF PAYMENT**

Please charge Deposit Account No. 10-0719/DEP5118TMD in the amount of \$872.00.  
 Three copies of this sheet are enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required in connection with the filing of this communication, or credit any overpayment, to Account No. 10-0750/DEP5118/TMD. Three copies of this sheet are enclosed.

<b>SUBMITTED BY:</b>		<i>Complete (if applicable)</i>	
Typed or Printed Name	Thomas M. DiMauro	Reg. No. 35,490	
Signature	<i>Thomas M. DiMauro</i>	Date: 6-26-03	<b>Deposit Account No. 10-0750</b>

DOCKET NO. DEP5118

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John R. Hawkins

For : Dual Durometer Elastomer Artificial Disc

Express Mail Certificate

"Express Mail" mailing number: EU486915066US

Date of Deposit: 6/26/03

I hereby certify that this complete application, including specification pages, claims, formal drawings, Declaration and Power of Attorney, and Assignment, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Karen Day

(Typed or printed name of person mailing paper or fee)

Karen Day

(Signature of person mailing paper or fee)